TABLE OF CONTENTS

COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT
INCIDENT DATA

WHAT INITIATED INCIDENT

Call	X	Observation		Search Warrant		Arrest Warrant	

LOCATION OF OCCURRENCE

[redacted] Marbrisa Avenue, Space [redacted] Huntington Park (Walnut Park District), California

TYPE OF LOCATION

Residence	X	Business		Industrial		Parking Lot	
Street		Backyard		Freeway		Rural	
Other	X	Trailer Park					

SHOOTING CONDITIONS

DATE	TIME	DAY
11/17/92	1952 hours	Thursday

LIGHTING

Dark, street lights shrouded with trees, one singular light at the extreme east end of the trailer park.

WEATHER

Cool and dry

DISTANCE

15 to 25 feet

CONTRIBUTING FACTORS

The suspect was apparently drunk and terminally ill.

LOS ANGELES COUNTY - SHERIFF'S DEPARTMENT

CLASSIFICATION

ACCIDENTAL:	**No**
GUN TAKE-AWAY:	**No**
PERSON(S) ARMED:	**Yes, .32 Calibre, semi-automatic handgun**
PERSON(S) UNARMED:	**No**
STARTLE:	**No**
UNINTENTIONAL:	**No**
DEPUTY IN UNIFORM:	[X] RAID JACKET: [ ] PLAIN CLOTHES: [ ]
VEST WORN:	**Yes**
FOOT PURSUIT:	**No**
VEHICLE PURSUIT:	**No**
VEHICLE STOP:	**No**
TYPE OF HOLSTER:	**Issue**
GUN IN HOLSTER:	**No**
STRUGGLE INVOLVED:	**No**

ADDITIONAL FACTS AND INFORMATION:
None

LOS ANGELES COUNTY - SHERIFF'S DEPARTMENT

DEPUTY INVOLVED

SHOOTER

EMPLOYEE'S NAME CARVER, David M.					
RANK Deputy	EMPLOYEE NO. [redacted]	UNIT AND DIVISION / REGION OF ASSIGNMENT Firestone Station / FOR II			
SEX M	RACE White	HEIGHT 5'09"	WEIGHT 170	DATE OF BIRTH [redacted]	AGE [redacted]
DUTY STATUS On duty	HIRE DATE 10/29/86				
UNIFORM Yes, Class "A"	RAID JACKET No	PLAIN CLOTHES No	VEST Yes		
INJURED No	DECEASED No	CORONER'S CASE NO. Not Applicable			
DESCRIPTION OF INJURIES Not Applicable					

WEAPON USED

TYPE Beretta Model 92F, 9mm, semi-automatic	AUTHORIZED Yes	
AMMUNITION TYPE 9mm, Department Issue	AUTHORIZED Yes	
RANGE QUALIFICATION (LAST DATE) [redacted]	NO. OF ROUNDS FIRED BY DEPUTY 2	NO. OF HITS Unknown - refer to Homicide Report

DEPUTY'S TOXICOLOGY

UNDER THE INFLUENCE No	TEST FOR CAUSE ORDERED No	ORDERED BY Not Applicable

TRAINING INFORMATION

LASER VILLAGE TRAINING (LAST DATE) [redacted]	PRACTICAL POLICE COURSE (LAST DATE) [redacted]

DEPUTY INVOLVED
Continued

ASSIGNMENT HISTORY

DATE	UNIT OF ASSIGNMENT	RANK
[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]
03/12/89 - Present	Firestone Station	Deputy

PRIOR SHOOTING INCIDENTS (ALL KNOWN INCIDENTS WHERE DEPUTY HAS DISCHARGED A WEAPON INCLUDING ACCIDENTAL DISCHARGES AND SHOTS FIRED AT ANIMALS OR HUMANS)

FILE	DATE	TYPE
092-02848-0178-011	03/29/92	Deputy Yamamoto Murder Shooting.

LOS ANGELES COUNTY - SHERIFF'S DEPARTMENT

DEPUTY INVOLVED

SHOOTER

EMPLOYEE'S NAME		
DUFFY, Vance E.		

RANK	EMPLOYEE NO.	UNIT AND DIVISION / REGION OF ASSIGNMENT
Deputy	[redacted]	Firestone Station / FOR II

SEX	RACE	HEIGHT	WEIGHT	DATE OF BIRTH	AGE
M	White	6'04"	175	[redacted]	[redacted]

DUTY STATUS	HIRE DATE
On duty	01/20/88

UNIFORM	RAID JACKET	PLAIN CLOTHES	VEST
Yes, Class "A"	No	No	Yes

INJURED	DECEASED	CORONER'S CASE NO.
No	No	Not Applicable

DESCRIPTION OF INJURIES
Not Applicable

WEAPON USED

TYPE	AUTHORIZED
Beretta Model 92F, 9mm, semi-automatic	Yes

AMMUNITION TYPE	AUTHORIZED
9mm, Department Issue	Yes

RANGE QUALIFICATION (LAST DATE)	NO. OF ROUNDS FIRED BY DEPUTY	NO. OF HITS
[redacted]	2	Unknown - refer to Homicide Report

DEPUTY'S TOXICOLOGY

UNDER THE INFLUENCE	TEST FOR CAUSE ORDERED	ORDERED BY
No	No	Not Applicable

TRAINING INFORMATION

LASER VILLAGE TRAINING (LAST DATE)	PRACTICAL POLICE COURSE (LAST DATE)
[redacted]	[redacted]

ASSIGNMENT HISTORY		
DATE	**UNIT OF ASSIGNMENT**	**RANK**
[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]
07/01/90 - Present	Firestone Station	Deputy

PRIOR SHOOTING INCIDENTS (ALL KNOWN INCIDENTS WHERE DEPUTY HAS DISCHARGED A WEAPON INCLUDING ACCIDENTAL DISCHARGES AND SHOTS FIRED AT ANIMALS OR HUMANS)		
FILE	**DATE**	**TYPE**
[redacted]		

LOS ANGELES COUNTY - SHERIFF'S DEPARTMENT

DEPUTY INVOLVED

SHOOTER

EMPLOYEE'S NAME		
GALLEGOS, Clarence G.		

RANK	EMPLOYEE NO.	UNIT AND DIVISION / REGION OF ASSIGNMENT
Deputy	[redacted]	Firestone Station / FOR II

SEX	RACE	HEIGHT	WEIGHT	DATE OF BIRTH	AGE
M	Hispanic	5'09"	165	[redacted]	[redacted]

DUTY STATUS	HIRE DATE
On duty	02/11/87

UNIFORM	RAID JACKET	PLAIN CLOTHES	VEST
Yes, Class "A"	No	No	Yes

INJURED	DECEASED	CORONER'S CASE NO.
No	No	Not Applicable

DESCRIPTION OF INJURIES
Not Applicable

WEAPON USED

TYPE	AUTHORIZED
Ithaca 12 Gauge Shotgun, Model 37	Yes

AMMUNITION TYPE	AUTHORIZED
Winchester, 12 gauge, 00 Buck Shot	Yes, refer to Homicide Report

RANGE QUALIFICATION (LAST DATE)	NO. OF ROUNDS FIRED BY DEPUTY	NO. OF HITS
[redacted]	3	Unknown, refer to Homicide Report

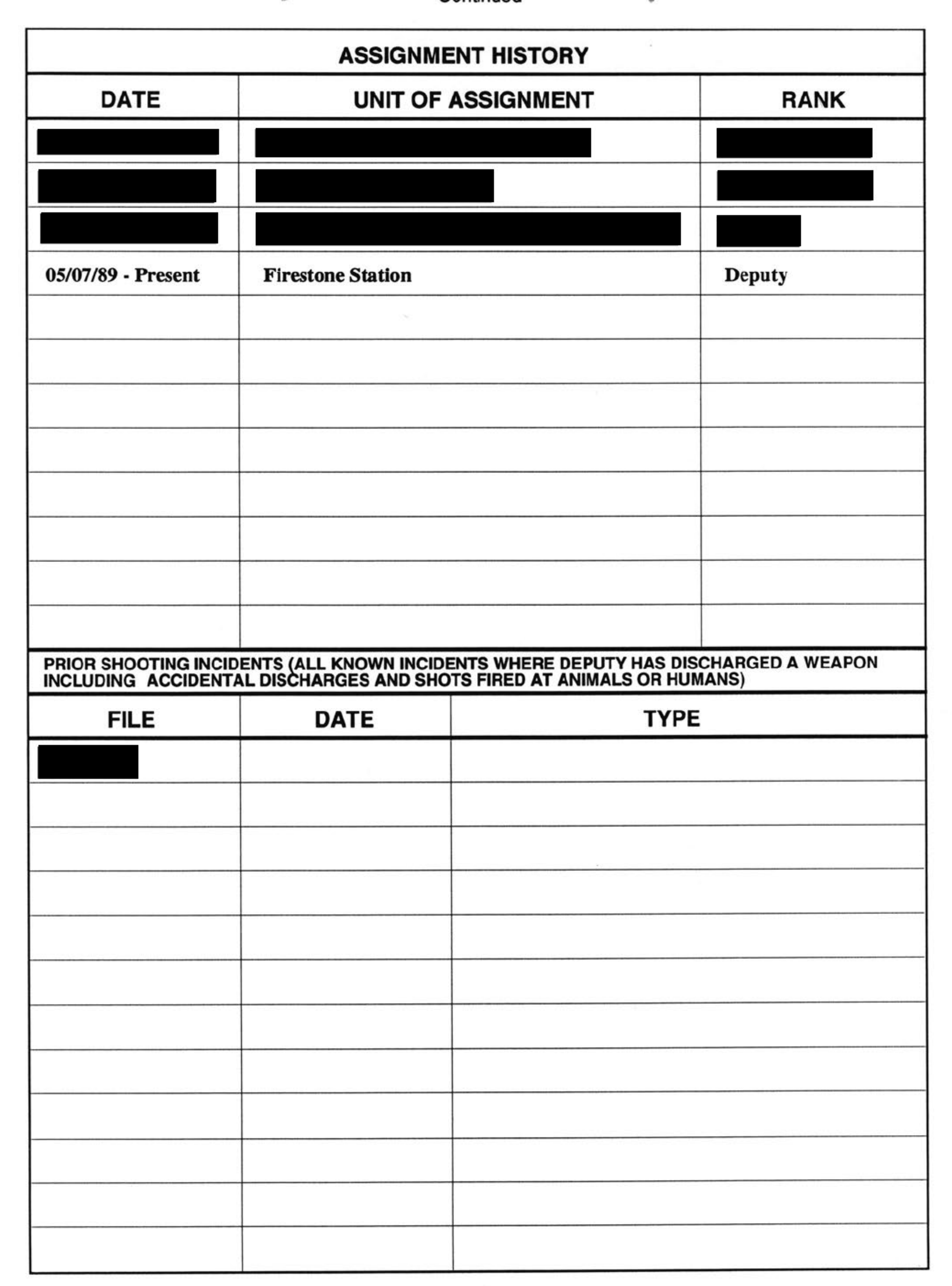
DEPUTY'S TOXICOLOGY

UNDER THE INFLUENCE	TEST FOR CAUSE ORDERED	ORDERED BY
No	No	Not Applicable

TRAINING INFORMATION

LASER VILLAGE TRAINING (LAST DATE)	PRACTICAL POLICE COURSE (LAST DATE)
[redacted]	[redacted]

DEPUTY INVOLVED
Continued



ASSIGNMENT HISTORY

DATE	UNIT OF ASSIGNMENT	RANK
[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]
05/07/89 - Present	Firestone Station	Deputy

PRIOR SHOOTING INCIDENTS (ALL KNOWN INCIDENTS WHERE DEPUTY HAS DISCHARGED A WEAPON INCLUDING ACCIDENTAL DISCHARGES AND SHOTS FIRED AT ANIMALS OR HUMANS)

FILE	DATE	TYPE
[redacted]		

LOS ANGELES COUNTY - SHERIFF'S DEPARTMENT

DEPUTY INVOLVED

SHOOTER

EMPLOYEE'S NAME		
STILWELL, Jeffrey S.		

RANK	EMPLOYEE NO.	UNIT AND DIVISION / REGION OF ASSIGNMENT
Deputy	[redacted]	Firestone Station / FOR II

SEX	RACE	HEIGHT	WEIGHT	DATE OF BIRTH	AGE
M	White	5'10"	170	[redacted]	[redacted]

DUTY STATUS	HIRE DATE
On duty	10/21/87

UNIFORM	RAID JACKET	PLAIN CLOTHES	VEST
Yes, Class "A"	No	No	Yes

INJURED	DECEASED	CORONER'S CASE NO.
No	No	Not Applicable

DESCRIPTION OF INJURIES
Not Applicable

WEAPON USED

TYPE	AUTHORIZED
Beretta Model 92F, 9mm, semi-automatic	Yes

AMMUNITION TYPE	AUTHORIZED
9mm, Department Issue	Yes

RANGE QUALIFICATION (LAST DATE)	NO. OF ROUNDS FIRED BY DEPUTY	NO. OF HITS
[redacted]	4	Unknown - refer to Homicide Report

DEPUTY'S TOXICOLOGY

UNDER THE INFLUENCE	TEST FOR CAUSE ORDERED	ORDERED BY
No	No	Not Applicable

TRAINING INFORMATION

LASER VILLAGE TRAINING (LAST DATE)	PRACTICAL POLICE COURSE (LAST DATE)
[redacted]	[redacted]

DEPUTY INVOLVED
Continued

ASSIGNMENT HISTORY		
DATE	UNIT OF ASSIGNMENT	RANK
[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]
12/24/89 - Present	Firestone Station	Deputy

PRIOR SHOOTING INCIDENTS (ALL KNOWN INCIDENTS WHERE DEPUTY HAS DISCHARGED A WEAPON INCLUDING ACCIDENTAL DISCHARGES AND SHOTS FIRED AT ANIMALS OR HUMANS)

FILE	DATE	TYPE
[redacted]		

LOS ANGELES COUNTY - SHERIFF'S DEPARTMENT

SUSPECT/SUBJECT

LAST NAME	FIRST NAME	M/I
Valber	**Ruben**	**NMI**

ADDRESS
[redacted]

SEX:	RACE	HEIGHT	WEIGHT	D.O.B.	AGE	DECEASED
M	**H**	**Unknown**	**Unknown**	**10/10/43**	**49**	**Yes**

INJURED	DESCRIPTION OF INJURIES
N/A	**Multiple gunshot wounds to body (See Homicide Report).**

SUSPECT'S TOXICOLOGY

UNDER THE INFLUENCE
Yes

TYPE OF SUBSTANCE	LAB TEST CONDUCTED
Alcohol	**By Coroner (Coroner Case # 10479)**

ARMED	TYPE OF WEAPON
Yes	**.32 Calibre, semi-automatic handgun**

NUMBER OF SHOTS FIRED BY SUSPECT	NUMBER OF HITS
None	**Not Applicable**

SUSPECT VEHICLE
None

CRIMINAL HISTORY (ATTACH COPY OF RAPS)
See Attached - Exhibit B

SUMMARY OF INCIDENT

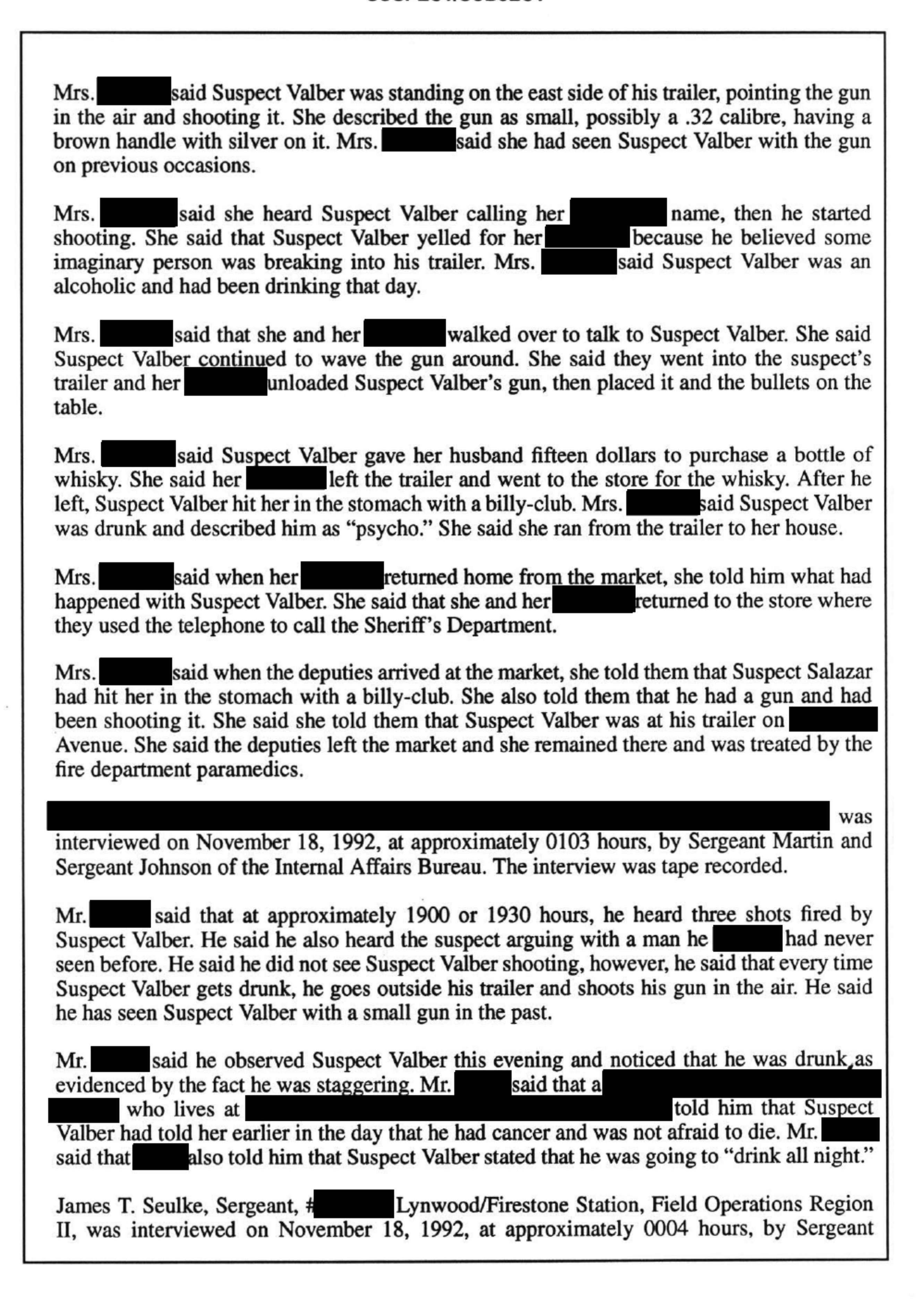
SUMMARY OF INCIDENT

The summary of this incident is based upon the reports, memos, teletypes, and taped interviews contained in this packet. It also contains information verbally relayed to the Internal Affairs Bureau investigators. This summary is preliminary and does not contain an interview of the deputies involved in the incident by the Internal Affairs Bureau investigators. Their account of this incident was obtained verbally from Joseph Brown, Lieutenant #[redacted] Homicide Bureau. Refer to Exhibit "A" for the crime reports describing the incident.

[redacted] was interviewed on November 18, 1992, at approximately 0037 hours, by Sergeant Thomas G. Martin and Sergeant Stephen B. Johnson of the Internal Affairs Bureau. The interview was tape recorded.

Mrs. [redacted] said that at approximately 1800 hours, on November 17, 1992, she was in the driveway of her residence with her [redacted] when she heard four gunshots coming from [redacted] Marbrisa Avenue. She said she looked in the direction of the gunshots and saw Suspect Ruben "Rudy" Valber, [redacted] Marbrisa Avenue, Space [redacted], Huntington Park, standing in the driveway holding a gun.

SUSPECT/SUBJECT



Mrs. [redacted] said Suspect Valber was standing on the east side of his trailer, pointing the gun in the air and shooting it. She described the gun as small, possibly a .32 calibre, having a brown handle with silver on it. Mrs. [redacted] said she had seen Suspect Valber with the gun on previous occasions.

Mrs. [redacted] said she heard Suspect Valber calling her [redacted] name, then he started shooting. She said that Suspect Valber yelled for her [redacted] because he believed some imaginary person was breaking into his trailer. Mrs. [redacted] said Suspect Valber was an alcoholic and had been drinking that day.

Mrs. [redacted] said that she and her [redacted] walked over to talk to Suspect Valber. She said Suspect Valber continued to wave the gun around. She said they went into the suspect's trailer and her [redacted] unloaded Suspect Valber's gun, then placed it and the bullets on the table.

Mrs. [redacted] said Suspect Valber gave her husband fifteen dollars to purchase a bottle of whisky. She said her [redacted] left the trailer and went to the store for the whisky. After he left, Suspect Valber hit her in the stomach with a billy-club. Mrs. [redacted] said Suspect Valber was drunk and described him as "psycho." She said she ran from the trailer to her house.

Mrs. [redacted] said when her [redacted] returned home from the market, she told him what had happened with Suspect Valber. She said that she and her [redacted] returned to the store where they used the telephone to call the Sheriff's Department.

Mrs. [redacted] said when the deputies arrived at the market, she told them that Suspect Salazar had hit her in the stomach with a billy-club. She also told them that he had a gun and had been shooting it. She said she told them that Suspect Valber was at his trailer on [redacted] Avenue. She said the deputies left the market and she remained there and was treated by the fire department paramedics.

[redacted] was interviewed on November 18, 1992, at approximately 0103 hours, by Sergeant Martin and Sergeant Johnson of the Internal Affairs Bureau. The interview was tape recorded.

Mr. [redacted] said that at approximately 1900 or 1930 hours, he heard three shots fired by Suspect Valber. He said he also heard the suspect arguing with a man he [redacted] had never seen before. He said he did not see Suspect Valber shooting, however, he said that every time Suspect Valber gets drunk, he goes outside his trailer and shoots his gun in the air. He said he has seen Suspect Valber with a small gun in the past.

Mr. [redacted] said he observed Suspect Valber this evening and noticed that he was drunk, as evidenced by the fact he was staggering. Mr. [redacted] said that a [redacted] who lives at [redacted] told him that Suspect Valber had told her earlier in the day that he had cancer and was not afraid to die. Mr. [redacted] said that [redacted] also told him that Suspect Valber stated that he was going to "drink all night."

James T. Seulke, Sergeant, #[redacted] Lynwood/Firestone Station, Field Operations Region II, was interviewed on November 18, 1992, at approximately 0004 hours, by Sergeant

Martin and Sergeant Johnson of the Internal Affairs Bureau. Prior to the interview commencing, Sergeant Seulke read and signed the Administrative Rights Admonition for Sworn Witnesses. The interview was tape recorded.

Sergeant Seulke said that on November 17, 1992, he was assigned to Firestone Station Unit 10-S, pm's. Sergeant Seulke said that during his shift, he heard Unit 15-A, David Carver, Deputy, [redacted] and Clarence Gallegos, Deputy, [redacted] being assigned a radio call which indicated they were to contact the fire department regarding a person down in the 7200 or 7300 block of Santa Fe. He said that some time after that call, he heard a transmission being broadcast over L-Tac., on his patrol car radio, in which Firestone Unit 15-A requested Unit 13, Vance Duffy, Deputy, [redacted] and Jeffrey Stilwell, Deputy, [redacted] to respond to the 7400 block of Marbrisa Avenue.

Sergeant Seulke said that he responded to the 7400 block of Marbrisa Avenue to ascertain what was occurring. Sergeant Seulke said that he contacted Deputy Carver at the location. He said that Deputy Carver told him the victim of the call on Santa Fe indicated that she was beaten with a club, by Suspect Valber, who she said resided in a trailer located at [redacted] Deputy Carver said that the victim told him that Suspect Valber had a handgun in his possession and had been shooting it earlier that day. Deputy Carver said that when he arrived at the trailer park, he looked through the window of the trailer and saw a handgun laying on a table inside.

Sergeant Seulke said that Deputy Carvers's patrol car was parked in front of the driveway, northwest of Suspect Valber's trailer (See diagram of the location, Exhibit C). Sergeant Seulke said he moved his car south of the location, away from the suspect's trailer. He said Deputy Carver left his car where it was parked and used it for cover (See Photographs, Exhibit D).

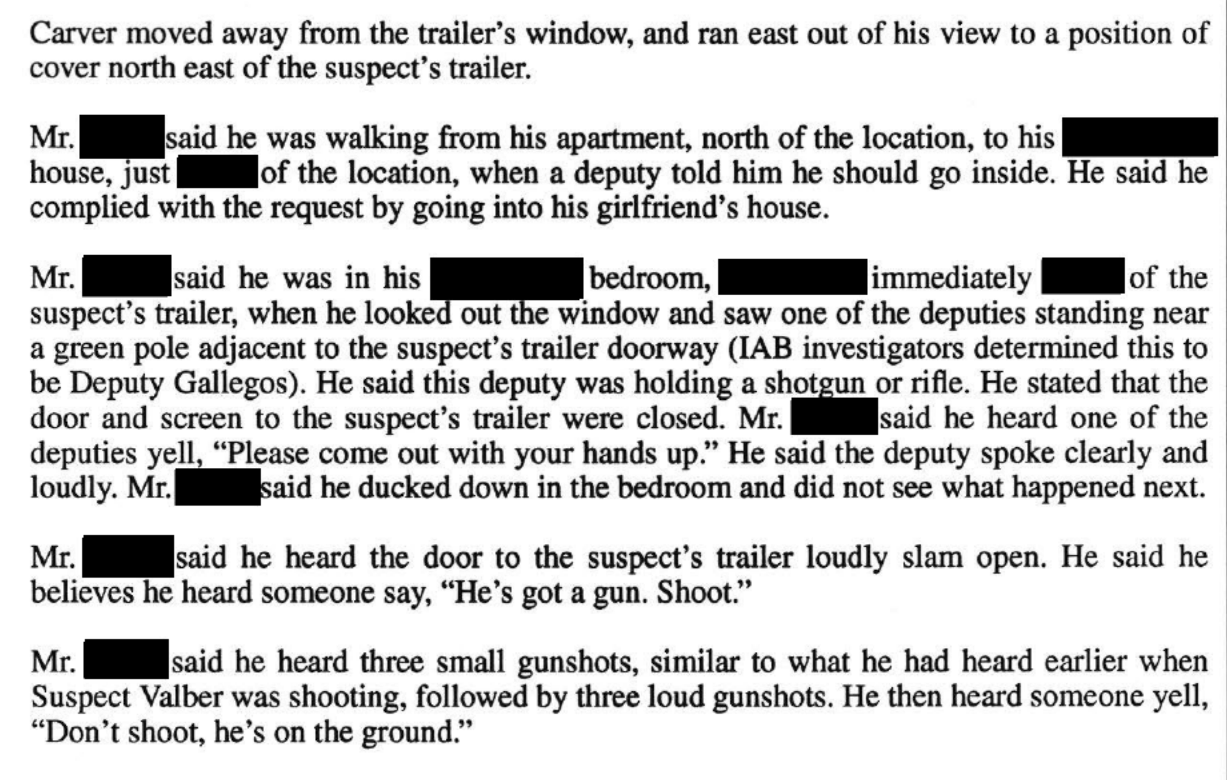
Sergeant Seulke said that he, Deputy Carver and Deputy Gallegos waited for Deputies Duffy and Stilwell to arrive prior to taking any action. He said when all of the deputies were assembled at the location, Deputy Carver developed a plan to call Suspect Valber out of the trailer. He said Deputy Carver told Deputy Gallegos to move to the east side of the Suspect's trailer and position himself to call the suspect out. Deputy Carver told Deputy Stilwell and Deputy Duffy to position themselves behind the rear of the trailer, located east of the location, near the southeast corner of the Suspect's trailer. Deputy Carver remained on the west side of the Suspect's trailer, looking through the window, so that he could see the aforementioned handgun. Sergeant Seulke said that he positioned himself behind a tree located in the parkway, southwest of the location (See Diagram, Exhibit C).

Sergeant Seulke said that Deputy Gallegos was armed with a shotgun and the other deputies were armed with their Department issued Beretta's.

Sergeant Seulke said that Deputy Carver advised all of the personnel that he was in position, using Frequency L-Tac. Sergeant Seulke said he heard Deputy Gallegos order Suspect Valber to come out of the trailer without the gun. Sergeant Seulke said that he was able to clearly hear Deputy Gallegos' announcement from his position, approximately 40 feet away.

Sergeant Seulke said that he heard Deputy Carver broadcast, over frequency L-Tac, that the suspect had picked up the gun and was moving toward the trailer's door. He said that Deputy

SUSPECT/SUBJECT



Carver moved away from the trailer's window, and ran east out of his view to a position of cover north east of the suspect's trailer.

Mr. [redacted] said he was walking from his apartment, north of the location, to his [redacted] house, just [redacted] of the location, when a deputy told him he should go inside. He said he complied with the request by going into his girlfriend's house.

Mr. [redacted] said he was in his [redacted] bedroom, [redacted] immediately [redacted] of the suspect's trailer, when he looked out the window and saw one of the deputies standing near a green pole adjacent to the suspect's trailer doorway (IAB investigators determined this to be Deputy Gallegos). He said this deputy was holding a shotgun or rifle. He stated that the door and screen to the suspect's trailer were closed. Mr. [redacted] said he heard one of the deputies yell, "Please come out with your hands up." He said the deputy spoke clearly and loudly. Mr. [redacted] said he ducked down in the bedroom and did not see what happened next.

Mr. [redacted] said he heard the door to the suspect's trailer loudly slam open. He said he believes he heard someone say, "He's got a gun. Shoot."

Mr. [redacted] said he heard three small gunshots, similar to what he had heard earlier when Suspect Valber was shooting, followed by three loud gunshots. He then heard someone yell, "Don't shoot, he's on the ground."

Sergeant Seulke said he heard Deputy Gallegos loudly yell something to the effect of, "Don't come out of the door with the gun. Drop it." He then heard several gunshots. Sergeant Seulke could not see who fired their weapons. He said that he did not fire his weapon.

Sergeant Seulke said that he used his radio to broadcast, on the dispatch frequency, that a deputy involved shooting had occurred. He said moments later, he heard a broadcast indicating that the suspect was down and the suspect's weapon was in custody. Sergeant Seulke said he broadcast a request for paramedics to respond to the location.

Sergeant Seulke said that he walked to the east side of the Suspect's trailer and saw the four deputies standing in front of the trailer door. He said they told him that they thought that the suspect was dead and he advised them to secure the location.

Sergeant Seulke said when the fire paramedics arrived at the location, they pronounced the suspect dead.

Sergeant Seulke said that Deputy Gallegos told him Suspect Valber came to the door of the trailer and, as the suspect opened the screen door with his right hand, raised his left hand, which held the handgun, toward him. It was at that moment that Deputy Gallegos fired his shotgun at the suspect.

Lieutenant Brown said that he interviewed Deputy Gallegos who told him, he ordered the suspect to exit the trailer without the gun. The suspect opened the door with his right hand and he could see a small handgun, which he raised to waist level, in his left hand pointing in his direction. He said that Deputy Gallegos yelled "No!", and, fearing he was about to be shot, fired three rounds from his 12 gauge shotgun at the suspect.

SUSPECT/SUBJECT

Lieutenant Brown said that Deputy Duffy told him he heard Deputy Gallegos yell, "No", and recognized the fear in his voice. Deputy Duffy told him that he thought Gallegos was in danger. He also said he saw a glow or a flash and fired his Beretta twice at the suspect.

Lieutenant Brown said that Deputy Stilwell heard Deputy Gallegos yell, saw a muzzle flash, and heard a shot. He said Deputy Stilwell feared for Deputy Gallegos safety and fired his Beretta four times at the suspect.

Lieutenant Brown said Deputy Carver stated that he saw the trailer door open and saw Suspect Valber holding the gun in his hand. Deputy Carver told him that he feared Deputy Gallegos would be shot and he fired two rounds from his Beretta at the suspect.

Lieutenant Brown said Suspect Valber fell backwards into the trailer and landed on the floor where he remained until the arrival of the coroner (See Photographs, Exhibit D). He said the suspect's handgun fell on the trailer floor to the northwest of the suspect (See Photographs, Exhibit D).

LOS ANGELES COUNTY - SHERIFF'S DEPARTMENT

WITNESS LIST

SWORN AND DEPT EMPLOYEES TO INCLUDE NAME, RANK, EMPLOYEE NUMBER, UNIT, AND DIVISION/REGION OF ASSIGNMENT - ALL OTHER WITNESSES TO INCLUDE NAME, ADDRESS (BUSINESS AND HOME) AND TELEPHONE #

WITNESS # 1

SEULKE, James T., Sergeant #[redacted]
Firestone Station, Field Operations Region II

STATEMENT

See summary of incident.

WITNESS # 2

[redacted] **D.O.B.** [redacted]

STATEMENT

See summary of incident.

WITNESS # 3

[redacted] **D.O.B.** [redacted]

STATEMENT

See summary of incident.

NOTE: THIS LIST ONLY CONTAINS THOSE WITNESSES PERSONALLY INTERVIEWED BY I.A.B. INVESTIGATORS. SEE ATTACHED REPORTS AND DOCUMENTS FOR POSSIBLE ADDITIONAL WITNESSES.